

**PUBLIC MEETING  
November 4, 2010  
MINUTES**

Chairman Mike Murray called the meeting to order at 9 a.m. Commissioner Derek Brown and Commissioner Andy Hunthausen were present. Others attending all or a portion of the meeting included Eric Bryson, Kelly Blake, Carrie Severson, Lindsay Morgan, Jack Walsh, Culver Varnado, and Rita Cortright, Recording Secretary.

Pledge of Allegiance. Everyone recited the Pledge.

Consent Action Items. (Eric Bryson)

- a. Resolution 2010-327 Ordering a Refund of Fees and Assessments Paid by Deanna M. List in the Amount of \$142.00. (Cheryl Green)
- b. Resolution 2010-329 Ordering a Refund of Taxes/Fees/Assessments Paid by Schwanns Sales Enterprises, Inc. in the Amount of \$1,245.35. (Cheryl Green)
- c. Conservation District Grant Program-HB 223 Grant Application to MT Dept. of Natural Resources for Publication and Distribution of Statewide Conservation District Newsletters in the Amount of \$17,652.80. (Chris Evans)

Eric Bryson reported on the consent action items and recommended approval.

No public comments were received.

Commissioner Hunthausen moved approval of the consent agenda and authorized the Chair to sign. Commissioner Brown seconded the motion. The motion carried 3-0.

Amended Subdivision Improvements Agreement for the Glacier Point Subdivision. (Planner: Lindsay A. Morgan) (Applicant: Glacier Point Subdivision, L.L.C.) The Applicant is requesting an extension of the completion date until September 30, 2011. (Cont'd from October 26, 2010)

Eric Bryson updated the Commission regarding last week's action. The county is in possession on a letter of credit and holding the funds to complete the required improvements for this subdivision. A representative of Mountain West Bank was present to address the Subdivision Improvements Agreement as new owners of this subdivision and these parcels of land.

Culver Varnado, representing Mountain West Bank at 225 Cedar. The bank has filed the deeds on the property yesterday to take over that development from Craig Riley, the developer at Glacier Point. The bank had a letter of credit with the county for \$242,000. Since the bank has taken over the development, the bank is willing to give the county another letter from the bank saying they will get the remaining work done, or another letter of credit from another bank to cover that work. It is the bank's intent to complete all of that work next year. The bank will be working with the current owners to start a HOA. The bank has no interest in building storage sheds on commercial lot 85 and would like to change that use.

Eric Bryson explained the next step in the process would be that a new request for an extension of that improvements agreement needs to come forward from the new developer with a financial guarantee. The agreement may include modifications to the conditions of approval. He expressed intent to move forward as soon as possible. There would be no action taken today.

Resolution of Intention 2010-328 to Create Rural Improvement District 2010-2 for Crestwood Green Estates Subdivision. (Planner: Carrie Severson)

Carrie Severson presented the staff report. There is a Memorandum of Understanding between Lewis & Clark County and Crestwood Green Estates Association, Inc. to initiate the creation of a Rural Improvement District. The presentation showed the proposed boundaries of the district. The costs includes pothole patching, culvert cleaning and miscellaneous. The miscellaneous fees include signs, drainage, and other unforeseen costs. The engineer's estimated total cost of this work is \$12,478 per year with each property having an assessment of \$328.37 per year. The RID would be for the internal roads only. The homeowners have chosen to provide this lower level of service at this time.

Commissioner Brown moved to approve the resolution and authorized the Chair to sign. Commissioner Hunthausen seconded the motion for discussion. He did not realize that the section of road from the gate at Applegate all the way through that subdivision was outside the subdivision boundary and suggested postponing action to review the settlement agreement.

The motion carried 2-1. Commissioner Hunthausen voted no.

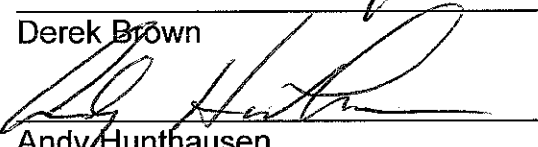
Public comments on any public matter within the jurisdiction of the Commission that is not on the agenda above. None.

There was no other business, the meeting adjourned at 9:35 a.m.

LEWIS AND CLARK COUNTY  
BOARD OF COMMISSIONERS

  
Michael A. Murray, Chairman

  
Derek Brown

  
Andy Hunthausen

ATTEST:

  
Paulette DeHart, Clerk of the Board